

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SUHAM BETTY,

Case No. 2:19-cv-12504

Plaintiff,

HONORABLE STEPHEN J. MURPHY, III

v.

CALIFORNIA PIZZA
KITCHEN, INC.,

Defendant.

**ORDER STAYING AND
ADMINISTRATIVELY CLOSING THE CASE**

On March 11, 2020, Defendant filed a motion for summary judgment and it is fully briefed. ECF 15 19, 21, 22. The Court set a hearing on the motion for October 13, 2020. ECF 23. On August 6, 2020, the Court received notice that Defendant filed for Chapter 11 relief under the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas. ECF 24; *see In re California Pizza Kitchen, Inc.*, No. 20-33752 (Bankr. S.D. Tex.).

When a corporation files for bankruptcy under Chapter 11, the petition "operates as a stay" of any "judicial, administrative, or other action or proceeding against the debtor that was . . . commenced before the commencement of the [bankruptcy] case[.]" 11 U.S.C. § 362(a). Plaintiff began the present action against Defendant before its bankruptcy filing. The Court will therefore stay the case pending the resolution of the bankruptcy proceeding. Plaintiff may revisit the claims after termination of the automatic stay.

WHEREFORE, it is hereby **ORDERED** that the case is **STAYED** pending Defendant's bankruptcy.

IT IS FURTHER ORDERED that the Clerk of the Court shall administratively **CLOSE** and **STAY** the case.

IT IS FURTHER ORDERED that the case can be **REOPENED** upon motion of any party after the completion of Defendant's bankruptcy. A motion to reopen the case must be filed within **60 DAYS** of the termination of Defendant's bankruptcy proceedings.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: August 26, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 26, 2020, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager